



# Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

Twenty-Ninth Day

Tuesday Afternoon

March 23, 2021

The invocation was offered by Chaplain Matt Barnes of the Public Servant's Prayer.

The House convened at 1:30 p.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Frye.

The Speaker ordered the roll of the House to be called:

Abbott	Karickhoff
Andrade	King
Austin	Klinker
Aylesworth	Lauer
Baird	Ledbetter
Barrett	Lehe
Bartels	Lehman
Bartlett	Leonard
Bauer	Lindauer
Behning	Lucas <input type="checkbox"/>
Borders	Lyness
Boy	Manning
Brown, T.	May
Campbell	Mayfield
Carbaugh	McNamara
Cherry	Miller
Clere	Moed
Cook	Morris
Davis	Morrison <input type="checkbox"/>
Davisson <input type="checkbox"/>	Moseley
DeVon	Negele
DeLaney	Nisly
Dvorak	Olthoff
Eberhart	Pack
Ellington	Payne
Engleman	Pfaff
Errington	Pierce
Fleming	Porter
Frye	Prescott
GiaQuinta	Pressel
Goodrich	Pryor
Gore	Rowray
Gutwein	Saunders
Hamilton	Schaibley
Harris	Shackleford
Hatcher	Slager
Hatfield	Smaltz
Heaton	Smith, V.
Heine	Snow
Hostettler	Soliday
Jackson	Speedy
Jacob	Steuerwald
Jeter	
Johnson	Summers
Jordan	Teshka
Judy	Thompson

Torr  
VanNatter  
Vermilion  
Wesco

J. Young  
Zent  
Ziemke  
Mr. Speaker

Roll Call 283: 96 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, March 25, 2021, at 10:30 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 33

Representatives Bartlett, Andrade, Pack, Vermilion, Porter, Klinker, Jackson, McNamara, Speedy, Payne, Hamilton, Errington, Davisson, Eberhart, Engleman, Behning, Shackleford, Schaibley, Boy, Gutwein, Ellington, Ziemke, Gore, Negele, Aylesworth, Cook, DeLaney, Moed, Pfaff, Cherry, Ledbetter, M. Bauer, GiaQuinta, Pressel, Hatcher, Heaton, Campbell, Olthoff, Karickhoff, Austin, Harris, Fleming, Pryor, Johnson, V. Smith, Rowray, Slager, Pierce, Manning and Clere introduced House Concurrent Resolution 33:

A CONCURRENT RESOLUTION honoring Dr. Kristina Box.

*Whereas, Dr. Kristina Box was named Indiana State Health Commissioner by Governor Eric J. Holcomb on September 18, 2017;*

*Whereas, Dr. Box practiced in Indianapolis for 30 years as an obstetrician and gynecologist before her appointment as state health commissioner;*

*Whereas, Dr. Box earned her undergraduate degree at Indiana University in Bloomington and her medical doctorate at Indiana University School of Medicine in Indianapolis;*

*Whereas, Dr. Box started her career at Community Hospitals of Indianapolis in 1987 as a private practitioner with Clearvista Women's Care;*

*Whereas, Dr. Box serves as physician lead for Community Health Network's Women's Service Line, and she received recognition for building the first multidisciplinary women's center in the Community Health Network;*

*Whereas, Dr. Box's vision and leadership built partnerships with area children's hospitals to improve care and decrease health care costs for Hoosiers, and her work has ensured that low-income women receive the important free health screenings that they need;*

*Whereas, Dr. Box served on the Indiana Perinatal Quality Improvement Collaborative (IPQIC), an advisory council to the Indiana State Department of Health that is comprised of more*

than 300 statewide community professionals working to reduce infant mortality;

*Whereas, Dr. Box's work with IPQIC and a state task force to address neonatal abstinence syndrome (NAS) established standards for the diagnosis of NAS and developed a hospital study to determine the prevalence of drug exposed newborns;*

*Whereas, Dr. Box has devoted her career to protect the health and well-being of Hoosiers, especially mothers and their unborn children; and*

*Whereas, Dr. Box's work as Indiana State Health Commissioner reflects her knowledge, skill, and passion in medicine and public service: Therefore,*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly honors Dr. Kristina Box for her many contributions in her community and the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative John Bartlett for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Qaddoura, Grooms, Niezgodski, Taylor, Alting, Niemeyer, Lanane, Becker, Breaux, Donato, Leising, Rogers, Crider and J.D. Ford.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 68, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 68 as printed January 29, 2021.)

Committee Vote: Yeas 10, Nays 1.

EBERHART, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions and Insurance, to which was referred Senate Bill 346, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 346 as printed February 5, 2021.)

Committee Vote: Yeas 13, Nays 0.

CARBAUGH, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 348, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, between lines 37 and 38, begin a new line blocked indented and insert:

**"(8) Evaluate available financing options in connection with wastewater utility acquisitions and related system improvements, including the authorization for an acquiring utility company that provides both water and wastewater service to allocate a portion of the**

**costs of the utility company's wastewater utility property to the utility company's water customers."**

Page 3, line 38, delete "(8)" and insert "(9)".

Page 3, after line 42, begin a new line block indented and insert:

**"(10) Evaluate the priority ranking system used by the Indiana finance authority under IC 5-1.2-10-14."**

Page 4, line 26, after "rates." insert **"The task force shall include recommendations, if any, concerning the topic set forth in section 6(8) of this chapter."**

(Reference is to SB 348 as reprinted February 2, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 2.

SOLIDAY, Chair

Report adopted.

### COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 349, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 5-1.2-10-14, AS ADDED BY P.L.189-2018, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) The authority shall use a priority ranking system in making loans or other financial assistance from each fund.

(b) The authority, in consultation with other state agencies the authority determines to be appropriate, shall develop the priority ranking system to achieve optimum water quality consistent with federal primary drinking water regulations and health protection objectives of the federal Safe Drinking Water Act, the water quality goals of the state, and the federal Clean Water Act.

**(c) The ranking system shall prioritize loans securing longer term benefits over shorter term projects, all other factors being equal.**

SECTION 2. IC 8-1-2-4.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.1. (a) As used in this section, "water or wastewater utility" means a public utility (as defined in section 1(a) of this chapter) that provides water or wastewater service to the public.

**(b) Not later than sixty (60) days after the effective date of a change in the applicable federal or state income tax rate as a result of new tax legislation:**

**(1) a water or wastewater utility shall petition the commission for; and**

**(2) the commission shall approve;**

**a water or wastewater utility surcharge that adjusts the water or wastewater utility's rates and charges to provide recovery for the change in the federal or state income tax rate, independent of any other matters related to the water or wastewater utility's revenue requirement. A surcharge approved under this section shall operate on prospective basis.**

**(c) A surcharge under this section:**

**(1) applies to each rate or charge in effect at the time of the petition; and**

**(2) shall be calculated to reflect the difference between:**

**(A) the amount of federal or state taxes that each existing rate or charge was designed to recover based on the tax rate in effect at the time the rate or charge was approved; and**

**(B) the amount of federal or state taxes that would have been embedded in the given rate or charge had**

the new tax rate resulting from the new legislation been in effect at the time of approval.

(d) Beginning on the effective date of the new tax legislation, and pending approval of a petition filed under this section, a water or wastewater utility is authorized to use regulatory accounting for all calculated differences described in subsection (c)(2).

(e) A petition filed under this section is not considered a petition for a general increase in rates and charges."

Delete page 2.

Page 3, delete lines 1 through 13.

Renummer all SECTIONS consecutively.

(Reference is to SB 349 as reprinted February 23, 2021.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

SOLIDAY, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 356, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 356 as printed February 5, 2021.)

Committee Vote: Yeas 11, Nays 0.

SMALTZ, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 386, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "IC 8-1-41" and insert "IC 8-1-40.5".

Page 1, line 4, delete "41." and insert "40.5".

Page 2, line 6, delete "This".

Page 2, delete line 7.

Page 2, line 41, delete "fifteen (15)" and insert "twenty (20)".

Page 4, line 9, delete "fifteen (15)" and insert "twenty (20)".

Page 5, line 3, delete "and".

Page 5, line 6, delete "bonds." and insert "bonds, and that such reduction will be reflected in retail rates when the securitization bonds are issued."

Page 5, line 12, delete "intends to make capital investments" and insert "will make, subject to approval by the commission, capital investments in Indiana".

Page 5, line 16, after "bonds." insert "Costs to purchase energy or capacity through a power purchase agreement do not constitute a capital investment for purposes of this subdivision."

Page 5, line 28, delete "that the electric utility's proposal reflects the" and insert "that:

(A) the electric utility has proposed a reasonable mechanism to reflect a reduction in the electric utility's base rates and charges upon the assessment of securitization charges on customer bills, so as to remove any qualified costs from the electric utility's base rates; and

(B) the mechanism will provide timely rate savings for customers."

Page 5, delete lines 29 through 30.

Page 5, line 36, delete "fifteen (15)" and insert "twenty (20)".

Page 5, line 38, delete "terms. Both:" and insert "terms if both:".

Page 6, line 27, delete "The electric utility may abandon" and insert "If the electric utility abandons".

Page 6, line 28, delete "by filing" and insert "or does not cause securitization bonds to be issued not later than ninety (90) days after the date of a final, non-appealable financing order, the electric utility shall file".

Page 6, line 30, after "abandonment." insert "However, the commission may, upon petition by the electric utility, extend the ninety (90) day period set forth in this subsection for good cause shown."

Page 10, line 33, delete "subsequent judicial lien or other" and insert "subsequent:

(A) judicial lien; or

(B) other creditor's lien."

Page 10, delete line 34.

Page 13, line 16, delete "IC 8-1-41-3," and insert "IC 8-1-40.5-3,".

Page 13, line 20, delete "IC 8-1-41-10," and insert "IC 8-1-40.5-10,".

Page 13, line 28, delete "IC 8-1-41," and insert "IC 8-1-40.5,".

Page 13, line 34, delete "commission under IC 8-1-41-10," and insert "the commission under IC 8-1-40.5-10,".

Page 13, line 41, delete "IC 8-1-41-10," and insert "IC 8-1-40.5-10,".

Page 14, line 1, delete "IC 8-1-41," and insert "IC 8-1-40.5,".

Page 14, line 4, delete "IC 8-1-41," and insert "IC 8-1-40.5,".

Page 14, line 8, delete "IC 8-1-41-6," and insert "IC 8-1-40.5-6,".

Page 14, line 28, delete "IC 8-1-41," and insert "IC 8-1-40.5,".

Page 14, line 30, delete "IC 8-1-41-3," and insert "IC 8-1-40.5-3,".

(Reference is to SB 386 Digest Correction as reprinted February 12, 2021.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

SOLIDAY, Chair

Report adopted.

### ENGROSSED SENATE BILLS ON SECOND READING

#### Engrossed Senate Bill 59

Representative Vermilion called down Engrossed Senate Bill 59 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

#### Engrossed Senate Bill 169

Representative Vermilion called down Engrossed Senate Bill 169 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Representative Moseley, who had been present, is now excused.

### ENGROSSED SENATE BILLS ON THIRD READING

#### Engrossed Senate Bill 8

Representative Negele called down Engrossed Senate Bill 8 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 284: yeas 70, nays 24. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The

Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 28**

Representative Slager called down Engrossed Senate Bill 28 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 285: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 35**

Representative Slager called down Engrossed Senate Bill 35 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 286: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 79**

Representative McNamara called down Engrossed Senate Bill 79 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 287: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 82**

Representative Cook called down Engrossed Senate Bill 82 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 288: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 93**

Representative Gutwein called down Engrossed Senate Bill 93 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 289: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 152**

Representative Prescott called down Engrossed Senate Bill 152 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 290: yeas 67, nays 27. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 196**

Representative Cook called down Engrossed Senate Bill 196 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 291: yeas 92, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 201**

Representative Young called down Engrossed Senate Bill 201 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 292: yeas 87, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 214**

Representative Leonard called down Engrossed Senate Bill 214 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 293: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

#### **Engrossed Senate Bill 260**

Representative Wesco called down Engrossed Senate Bill 260 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 294: yeas 58, nays 36. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 303**

Representative McNamara called down Engrossed Senate Bill 303 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 295: yeas 71, nays 23. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 329**

Representative Engleman called down Engrossed Senate Bill 329 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 296: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 382**

Representative Negele called down Engrossed Senate Bill 382 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 297: yeas 93, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**Engrossed Senate Bill 384**

Representative Heine called down Engrossed Senate Bill 384 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 298: yeas 92, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

**ENROLLED ACTS SIGNED**

The Speaker announced that he had signed House Enrolled Acts 1006, 1060, 1065, 1072, 1082, 1084, 1111, 1120, 1231, 1314, 1420, 1466 and 1496 on March 23.

**ENROLLED ACTS SIGNED**

The Speaker announced that he had signed Senate Enrolled Acts 2, 6, 53, 63, 77, 81, 101, 122 and 385 on March 23.

**OTHER BUSINESS ON THE SPEAKER'S TABLE****Referrals to Ways and Means**

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 356 had been referred to the Committee on Ways and Means.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Moed be added as cosponsor of Engrossed Senate Bill 28.

SLAGER

Motion prevailed.

A

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Negele and Speedy be added as cosponsors of Engrossed Senate Bill 79.

MCNAMARA

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Andrade be added as cosponsor of Engrossed Senate Bill 82.

COOK

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative VanNatter be added as cosponsor of Engrossed Senate Bill 201.

YOUNG

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Porter be added as cosponsor of Engrossed Senate Bill 214.

LEONARD

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Zent, Moed and M. Bauer be added as cosponsors of Engrossed Senate Bill 218.

PRESSEL

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative M. Bauer be added as cosponsor of Engrossed Senate Bill 384.

HEINE

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative VanNatter and Wesco be added as coauthor of House Concurrent Resolution 18.

PRESCOTT

Motion prevailed.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1420 and 1466 and the same are herewith returned to the House.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1004, 1150,

1238 and 1356 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 26, 27, 28, 31 and 32 and the same are herewith returned to the House.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

On the motion of Representative Gore, the House adjourned at 3:59 p.m., this twenty-third day of March, 2021, until Thursday, March 25, 2021, at 10:30 a.m.

TODD M. HUSTON  
Speaker of the House of Representatives

M. CAROLINE SPOTTS  
Principal Clerk of the House of Representatives